

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No. 1:13-cr-0184-SEB-DML
	)	
MATTHEW BERTRAM,	)	- 05
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

On July 29, 2020, the Court held a hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on July 2, 2020. Defendant Bertram appeared in person with his appointed counsel Dominic Martin. The government appeared by Will McCoskey, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer Ariene Gilbert.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Bertram of his rights and provided him with a copy of the petition. Defendant Bertram orally waived his right to a preliminary hearing.
2. After being placed under oath, Defendant Bertram admitted violation number 1.  
[Docket No. 374.]
3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation  
Number**

**Nature of Noncompliance**

- 1           **“The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.”**

On April 4, 2020, and May 15, 2020, the offender submitted urine samples which tested positive for amphetamines. The offender had recently admitted to relapsing with methamphetamine and was referred to substance abuse treatment. Despite attending the program, the offender continued to use.

On June 2, 2020, the offender was placed on location monitoring in an attempt to bring him into compliance. The offender then submitted a urine sample on June 19, 2020 which tested positive for amphetamines again. The offender reported to this officer that he last used methamphetamine on June 18, 2020.

4.       The parties stipulated that:

- (a)       The highest grade of violation is a Grade B violation.
- (b)       Defendant’s criminal history category is I.
- (c)       The range of imprisonment applicable upon revocation of supervised release, therefore, is 4 to 10 months’ imprisonment.

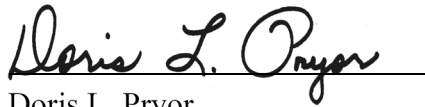
5.       The parties jointly recommended a sentence of four (4) months incarceration with no supervised release to follow. Defendant requested placement at FCI Terre Haute – Satellite Camp.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that his supervised release should be revoked, and that he should be sentenced to the custody of the Attorney General or his designee for a period of four (4) with no supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge’s action on

this Report and Recommendation. The Magistrate Judge will make a recommendation of placement at FCI Terre Haute – Satellite Camp.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Date: 7/30/2020

A handwritten signature in black ink, reading "Doris L. Pryor", written over a horizontal line.

Doris L. Pryor  
United States Magistrate Judge  
Southern District of Indiana

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